

RESOLUTION OF THE GOVERNING BODY OF THE THREE AFFILIATED TRIBES OF THE FORT BERTHOLD RESERVATION

- WHEREAS, This Corporation is an Indian Chartered Corporation as defined by the Indian Reorganization Act of June 18, 1934, and authority is granted under said Act; and
- WHEREAS, The Constitution and Bylaws of the Tribal Corporation charge the Tribal Business Council with the responsibility of performing all legal acts for the welfare and benefit of the Tribe and tribal members; and
- WHEREAS, The Tribal Council has received notice that claim money in the amount of \$1,850,000 has been awarded to the Tribe; and
- WHEREAS, This money is on deposit in the Treasury of the United States where it will be drawing interest until dispersed; and
- WHEREAS, Interest rates are considerably higher with individuals or private industry; and
- WHEREAS, Considerable time will elapse until dispersment of said claim account; and

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes request the Bureau of Indian Affairs invent the balance of the \$1,850,000 claim award above immediate expenses chargeable to the account, at the highest rate of interest for a period of 12 months.

C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 18 members of whom 7 constituting a quorum were present at a special meeting, thereof duly called, noticed, convened and held on the 21 day of January, 1970; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, members opposed, abstentions, passed, and that the said Resolution has not been rescinded or amended in any way. Chairman (voting) (not voting).

Dated this 21 day of January, 1970.

Ralph Williams
Secretary, Tribal Business Council
Three Affiliated Tribes

ATTEST:

Vincent Melman
Chairman, Tribal Business Council
Three Affiliated Tribes

JRC
JAN 23 1970

RESOLUTION NUMBER 70-15

THREE AFFILIATED TRIBES
FORT BERTHOLD RESERVATION

WHEREAS, The Three Affiliated Tribes of the Fort Berthold Indian Reservation is an Indian Chartered Corporation as defined by the Indian Reorganization Act of June 18, 1934, and authority is granted in the Constitution and By-Laws, and

WHEREAS, There is a need for the licensing and control of canines on the Fort Berthold Reservation.

NOW THEREFORE BE IT RESOLVED, That the attached ordinances be passed to control and regulate dogs on the reservation.

FORT BERTHOLD DOG REGISTRATION AND RABIES CONTROL ORDINANCE

Section 1: Definitions

(a) "Dog" shall mean only canine animals 6 months of age and over, provided that this paragraph shall not apply to dogs owned by non-residents temporarily visiting the Reservation if the owner presents evidence satisfactory to the tribal police that the animal has received a vaccination against rabies within the preceding twelve (12) months.

(b) "Owner" shall mean any person or persons, firm or association or corporation owning, keeping, harboring or controlling a dog.

(c) "At large" shall mean any dog off the owner's premises and not under the control of a person either by leash, cord, chain or otherwise.

(d) "Stray" shall mean any dog not having a known owner.

(e) "Rabies vaccination" shall mean the injection intramuscularly or otherwise of canine antirabic vaccine approved by the North Dakota State Department of Agriculture, or by the United States Public Health Service, received from an agent of the Tribal Business Council at a public clinic established for that purpose by the Tribal Council, or by a licensed veterinarian.

(f) "Tribal Health Advisor" shall mean the Service Unit Director in Charge of the Public Health Service locally.

Section 2: Registration of Dogs

(a) No dogs shall be kept, harbored, or maintained within the boundaries of the Fort Berthold Reservation unless such dog has been registered by the owner with the Clerk of the Tribal Business Council, or an authorized substitute.

(b) The Clerk of the Tribal Council, or his substitute, shall issue a Certificate of Registration and registration tag for each dog on the reservation, provided that the owner exhibits a certificate signed by a licensed veterinarian or agent of the Tribal Business Council, as described in Section 1 (e) herein, which shows that the dog described in the registration application has been vaccinated against rabies within a period of one year preceding the date of the application.

(c) Each certificate of registration shall set forth the name and address of the owner; the dog's name, color, breed and sex; the date of rabies vaccination and the name and address of the licensed veterinarian or other persons who administered the vaccine; and the registration number. Each registration tag shall set forth the registration certificate number and expiration dates. The Clerk of the Tribal Council shall maintain a record of certificates of registration and registration tags.

(d) Registration certificates and tags issued under this ordinance shall expire at midnight on the last day of the registration year. For the purpose of this Ordinance, the registration year shall begin June 1 and end May 31. Applications for renewals may be made for the ensuing registration year during the months of April and May and upon payment of a fee, if any, according to the provisions of Section 3 herein.

(e) No persons shall attach registration tags to a dog unless such dog has been properly registered with the Clerk of the Tribal Business Council or his authorized substitute.

(f) The refusal or failure of the owner of any dog to pay the registration fee or any impoundment expenses within thirty (30) days after written notice thereof by the Clerk of the Tribal Business Council, or his authorized substitute, shall be deemed an abandonment of such dog by the owner.

Section 3: Public Clinics

(a) The Tribal Business Council of the Fort Berthold Reservation is hereby empowered to establish annual Public Clinics where residents of the Fort Berthold Reservation may take their dogs for inoculation and registration, by agents so empowered by the Council, as provided in Section 1 and 2, herein.

(b) For each inoculation that is to be administered by an agent of the Tribal Business Council, the Clerk of the Tribal Council, or his authorized substitute, shall first receive the sum of \$_____, such monies to be applied to the defrayment of the cost of tags, vaccine, and registration certificates. The Clerk of the Council, or his authorized substitute, shall keep an accurate account of all such monies, and the books shall be open to inspection by members of the council at any reasonable time.

(c) All profits above actual expenses of vaccine, dog tags and registration certificates shall be deposited in a special tribal rabies control account and those funds shall be used to carry on future animal rabies control programs on the reservation.

Section 4: Impoundment and Destruction of Dogs

(a) Any dog without a registration tag, any dog of a fierce, dangerous or vicious nature which is left unattended or unconfined by its owner, any dog which becomes a nuisance to others, and any dog which trespasses unattended upon the community streets, public places or premises of others shall be subject to immediate seizure and impoundment in a tribal designated pound by officers of the tribal police or any other persons specifically appointed for such tasks by the tribal council.

(b) The owner of the dog, if known, shall be promptly notified by the Clerk of the Council or his authorized substitute of the animal's impoundment. Unless the dog is redeemed by its owner within seven days after such noticed, or if the owner is unknown, within ten days after its impoundment, it shall be considered unclaimed.

(c) No dog shall be released from the pound without payment of a service fee of three three dollars (\$3) and presentation of a registration certificate for the current registration year. Service fees collected shall be deposited in the tribal account and shall be used to defray the expenses connected with the administration of this ordinance.

(d) All unclaimed dogs shall be destroyed in a humane and sanitary manner by the tribal police or by a person designated for such purpose by the council.

Section 5: Control of Rabies Infected Animals

(a) Any dog known to have bitten a person so as to cause puncture of the skin or which appears to be infected by rabies, shall be closely confined in the tribal pound by means of a substantial metal chain or other secure method for a period of ten days or as may be recommended by the Tribal Health Advisor. During the ten day confinement, the dog shall be placed under the observation of a licensed veterinarian or an agent so designated by the tribal council.

(b) If the owner fails to confine such dog or if the owner is not known, the tribal police shall remove the dog to a veterinary hospital or other location as designated by the tribal council and there be placed under observation. The owner shall, in such cases, be required to reimburse the tribal account for necessary expenses connected with the confinement. Confinement expenses for stray dogs shall be paid from the funds available under Section 3 and 4 of this ordinance.

(c) Whenever a diagnosis of rabies is confirmed in any animal from the Fort Berthold Reservation, the tribal council may establish a quarantine on domestic animals and shall define the area under quarantine, unless sooner rescinded by the council, such quarantine shall remain in effect for a minimum of sixty days after the diagnosis of the last known case of animal rabies with the quarantine area.

(d) No animal subject to the quarantine shall be removed from the quarantine area without written permission of the Tribal Health Advisor. Owners of domestic animals within a quarantine area shall confine the animals to the owner's premises or maintain them under leash.

Section 6: Penalties

Any person who willingly or willfully violates any provision of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not to exceed \$25.00 or ten day imprisonment, or both such fine and imprisonment.

Section 7: Construction of the Ordinance

It is the policy of this ordinance to provide for the health and well being of the residents of the Fort Berthold Reservation and to insure that such residents will be free from the danger of animal rabies infections. To that end, the ordinance shall be given a liberal interpretation whenever necessary.

RESOLUTION NUMBER 70-15

C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 10 members of whom 9 constituting a quorum, were present at a special meeting thereof duly called, noticed, convened and held on the 28th day of January, 1970; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 7 members, 1 member opposed, and 0 abstentions and that said resolution has not been rescinded or amended in any way. Chairman not voting.

Dated this 28th day of January, 1970.

Ralph Welch

Secretary, Tribal Business Council
Three Affiliated Tribes

Attest:

Vincent Malanik

Chairman, Tribal Business Council
Three Affiliated Tribes

RECEIVED

FEB 13 1970

FORT BERTHOLD AGENCY
FIVE TOWNS, N. DAKOTA

Recommended for approval:

Superintendent, Fort Berthold Agency

RESOLUTION NUMBER 70-15

THREE AFFILIATED TRIBES
FORT BERTHOLD RESERVATION

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WHEREAS, There is a need for the licensing and control of canines on the Fort Berthold Reservation.

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(c) Each certificate of registration shall set forth the name and address of the owner; the dog's name, color, breed and sex; the date of rabies vaccination and the name and address of the licensed veterinarian or other persons who administered the vaccine; and the registration number. Each registration tag shall set forth the registration certificate number and expiration dates. The Clerk of the Tribal Council shall maintain a record of certificates of registration and registration tags.

(d) Registration certificates and tags issued under this ordinance shall expire at midnight on the last day of the registration year. For the purpose of this Ordinance, the registration year shall begin June 1 and end May 31. Applications for renewals may be made for the ensuing registration year during the months of April and May and upon payment of a fee, if any, according to the provisions of Section 3 herein.

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RESOLUTION NUMBER 70-15

C E R T I F I C A T I O N

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 10 members of whom 9 constituting a quorum, were present at a special meeting thereof duly called, noticed, convened and held on the 28th day of January, 1970; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 7 members, 1 member opposed, and 0 abstentions and that said resolution has not been rescinded or amended in any way. Chairman not voting.

Dated this 28th day of January, 1970.

Ralph Welch
Secretary, Tribal Business Council
Three Affiliated Tribes

Attest:

Vincent Malanuk
Chairman, Tribal Business Council
Three Affiliated Tribes

RECEIVED
FEB 16 1970
FORT BERTHOLD AGENCY
NEW YORK, N.Y. 10010

Recommended for approval:

Superintendent, Fort Berthold Agency